

DETAILED ACTION

Response to Amendment

This office action is in response to amendment filed on 9/2/08. Of the previously presented claims 4-11; claim 4 has been amended.

Claim Objections

1. The claims are objected to because the lines are crowded too closely together, making reading difficult. Substitute claims with lines one and one-half or double spaced on good quality paper are required. See 37 CFR 1.52(b).

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 4-11 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.

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4. Claims 4-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As discussed in the phone interview conducted on 12/21/08, independent claim 4 recites a "method for transmitting and receiving the information with low Bit Error Rate (BER) in the presence of interference" however the subject matter of the claim fails to distinctly point out steps for performing the method. The Examiner suggests placing the definitions of elements recited in the preamble such as the EIG and UAC in relation to where they are utilized in performing the method. For reference the Examiner suggests looking at claim 6 of U.S. Patent 7,369,571.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claim 4 is rejected under 35 U.S.C. 102(b) as being anticipated by Kloos et al. (US 2004/0120304) (hereinafter Kloos).

Regarding claim 4, Kloos teaches the method for transmitting and receiving the information with low Bit Error Rate (BER) in the presence of interference wherein the unique address of the station, also referred to hereinafter as "Unique Address Code" (UAC) (station identification) (pilot) and the unique code used to encode the information

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"1" bits, also referred to hereinafter as "Encoded Information Group" (EIG) (serial bit stream) are assigned to each station; the Unique Address Code (UAC) is represented as a binary code, the information is transmitted digitally, each information "1" bit is converted into an Encoded Information Group (EIG) of bits, the Encoded Information Group (EIG) is comprised of a sequence of regularly interchanging "1" and "0" bits with different durations; the Unique Address Code (UAC) signal is a pilot signal and is continually transmitted during the time interval while the information is transmitted; the information signal is placed in the Unique Address Code (UAC) and in the time intervals where the Unique Address Code bits have a "0" value; the Unique Address Code (UAC) and the information are transmitted on the same clock rate and the same carrier frequency, for transmitting and receiving the information in the simplex (one way) operation (broadcast) between a base station and subscribers stations the receiver device of the subscriber station that receives the information is tuned-in to the Unique Address Code (UAC) as well as to the Encoded Information Group (EIG) of the base station comprising (paragraphs 42, 48, 50; figure 18):

the receiver device of the subscriber station attempts to detect the Unique Address Code (UAC) of the base station; the Number of Continuous Clock Rate Periods, also referred to hereinafter as (NCCRP) (frequency), of the Reference Signal, also referred to hereinafter as Reference Signal (RS), that continually match that of the incoming signal acts as criterion for Unique Address Code detection, the Reference Signal (RS) is generated in the receiver device of the subscriber station and acts as a copy of the Unique Address Code (UAC) of the base station; and a match of the

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Reference Signal (RS) with the incoming signal is achieved if this match occurs with each of the "1" bits of the Reference Signal (RS), a match can either be perfect or imperfect, a perfect match is when the Reference Signal (RS) matches exactly the Incoming signal by phase, an imperfect match is when there is a time delay between the two signals and where such delay is not greater than the duration of "1" bit of the Reference Signal (RS) (paragraphs 5, 50-52, 92-96).

Allowable Subject Matter

7. Claims 5-11 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Response to Arguments

8. Applicant's arguments with respect to claim 4 have been considered but are moot in view of the new ground(s) of rejection. Applicant asserts that Kloos does not teach the limitations set forth in claim 4. The Examiner respectfully disagrees and submits that the rejection is based on the Examiner's best interpretation of the claim which is synchronization of a mobile station with a pilot signal from a base station which is taught by Kloos. Therefore this rejection has been maintained.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NAM HUYNH whose telephone number is (571)272-5970. The examiner can normally be reached on 8 a.m.-5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/George Eng/
Supervisory Patent Examiner, Art Unit 2617

NTH
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